

IN THE UNITED STATES COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

Randall Kelton, Kara Bell, §

Plaintiffs, §

v. §

Nordstrom, Inc. (d/b/a/ Nordstrom Rack), §

Kelsie Fucci, Nathan Hecht, Sharon Keller, §

Keller, Jose Garza, Rob Stuart Drummond, §

Barbara Hervey, Bert Richardson, Kevin §

Yeary, David Newell, Mary Lou Keel, §

Scott Walker, Michelle Slaughter, Jesse F. §

McClure III, Megan LaVoie, Thea Whalen, §

Deadra Stark, Kelly Damphouse, Nathan §

Cradduck, Gail Bell, Travis County Sheriff §

Deputy Name Unknown, Sally Hernandez, §

Lenn Carter, Robert Eller, Crystal Gill, §

Marc Bruner, Kenton Johnson, Barbara §

Boulware-Wells, Jeff Ulmann, Audrey §

Guthrie, Sam Bassett, Sara Donovan, §

Defendants. §

CIVIL ACTION NO. 1:23-cv-00395

DEFENDANT BELL'S RESPONSE TO PLAINTIFFS'
MOTION TO STRIKE RULE 12 MOTION

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION:

NOW COMES Defendant GAIL BELL and in response to Plaintiffs' Motion to Strike Rule
12 Motion, submits this her Response:

I.

On September 14, 2023, Plaintiffs filed their Motion to Strike the Fed.R.Civ.Proc 12 (b)
Motions to Dismiss of 16 Defendants, including Defendant Gail Bell. As near as can be
deciphered, the sole basis of the Motion to Strike is that Defendant Bell's Motion to Dismiss was

“filed improperly as the Attorney General lacked standing to represent persons sued in their private capacity.” (Motion to Strike at 1).

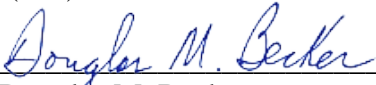
II.

Defendant Bell is not represented by the Attorney General, but by private counsel. Accordingly, Plaintiffs’ Motion to Strike is frivolous; should be denied; and the Court should take whatever action it deems appropriate under Fed.R.Civ.Proc. 11(c)(3).

For these reasons, Defendant Bell respectfully requests that Plaintiffs’ Motion to Strike be Denied.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on September 18, 2023, to the following as follows:

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